

REMARKS

The Office action mailed on 12 May 2004 (Paper No. 6) has been carefully considered. Allowance of claims 1 thru 6 as indicated in PTOL-326 is appreciated.

Claims 1 and 7 are being amended, and new claims 13 thru 20 are being added. Thus, claims 1 thru 20 are pending in the application.

In paragraph 1 of the Office action, the Examiner objected to the title of the invention as being non-descriptive. Accordingly, the title of the invention is being changed to "DISPLAY APPARATUS HAVING IMPROVED INTERCONNECTION TO VIDEO PRINTED CIRCUIT BOARD". Thus, the objection to the title no longer applies, and should be withdrawn.

In paragraph 2 of the Office action, the Examiner objected to the disclosure for alleged informalities. Specifically, the Examiner states that the incorporation by reference of a foreign application or patent is improper. For the reasons stated below, Applicant respectfully disagrees with the Examiner's objection to the disclosure.

In particular, it is noted that the Examiner objects to the disclosure due to alleged "informalities" in the disclosure. However, the Examiner does not state any informalities in the disclosure of the invention itself, but rather objects to the first paragraph of the

application, which is entitled "CLAIM OF PRIORITY". Whereas the claim of priority is a part of the application, it is not a part of the disclosure of the invention, which begins with the section entitled "BACKGROUND OF THE INVENTION", and then encompasses paragraph [0002] thru paragraph [0050], as well as the claims of the present application.

In connection with the objection, in paragraph 2 of the Office action, the Examiner requires amendment of "the disclosure to include the material incorporated by reference" (quoting from paragraph 2, lines 3-4 of the Office action). On the other hand, the Examiner also states that "the document has been directly translated into the instant application" (*see* paragraph 2, lines 11-12 of the Office action). Since, as correctly stated by the Examiner, the priority document or priority application (Korean Application Serial No. 49332/2001) has been directly translated in order to obtain the present U.S. application, no amendment of the disclosure is necessary.

The Examiner also states that, "if the instant application contains information different from that of the foreign priority document, the instant application would not be entitled to the foreign priority date" (quoting from paragraph 2, lines 13-15 of the Office action). However, this statement is not correct in that, if the instant application contains information different from that of the foreign priority document, the instant application would still be entitled to the foreign priority date insofar as common subject matter is

concerned.

In summary, the paragraph [0001] objected to by the Examiner is simply a claim of priority. The words “incorporates the same herein” are intended to invoke the benefits of 35 U.S.C. §119 so that the present application will obtain the benefit of the filing date of the Korean priority application insofar as common subject matter is concerned. Thus, incorporation of the Korean priority application into the present application for the purposes of 35 U.S.C. §119 was completed with the filing of the certified copy of the Korean priority application, receipt of which is acknowledged in paragraph 12 of the Office Action Summary contained in the present Office action.

Finally, it is noted that the language of paragraph [0001] has been included in hundreds of applications filed by the undersigned attorney on behalf of the assignee of the present application without any objection to that language by the U.S. Patent & Trademark Office. For the reasons stated above, it is submitted that the objection to the disclosure for alleged “informalities” is improper, and should be withdrawn.

In paragraph 3 of the Office action, the Examiner rejected claims 7 and 8 under 35 U.S.C. §102 for alleged anticipation by Schultz, U.S. Patent No. 4,054,346. In paragraph 5 of the Office action, the Examiner states that claims 1 thru 6 and 9 thru 12 appear allowable over the prior art. For the reasons stated below, it is submitted that the

invention recited in the claims, as now amended, is distinguishable from the prior art cited by the Examiner so as to preclude rejection under 35 U.S.C. §102 or §103.

Independent claim 1 is being amended in a very minor manner so as to change “the axis” to “an axis”, thereby improving the form of the claim. Thus, independent claim 1 and its associated dependent claims 2 thru 6 should remain in condition for allowance.

Independent claim 7 is being amended to recite that the video printed circuit board (PCB) is “disposed parallel to an axis of the electron gun unit”. It is submitted that this amendment of claim 7 renders it and its associated dependent claims 8 thru 12 in condition for allowance.

Specifically, as apparently recognized by the Examiner in allowing independent claim 1, Schultz ‘346 does not disclose or suggest a video unit which includes a video PCB which is disposed parallel to an axis of an electron gun unit. In fact, as stated in paragraph 3 of the Office action, Schultz ‘346 does not even show the electron gun (*see* page 3, line 10 of the Office action). Moreover, a review of Figure 2 of Schultz ‘346 reveals that the PCB 32 is disposed in a direction perpendicular to an axis of the electron gun unit, specifically, the axis of the cathode ray tube (CRT) 16 shown in Figure 1 of the patent.

Furthermore, in view of this difference between the claimed arrangement and that of Schultz '346, there is no need for Schultz '346 to provide a boss holder vertically disposed on the video PCB for connection to the boss part of the electron gun unit, as also recited in the last paragraph of claim 7. In that regard, it is noted that, in paragraph 3 of the Office action, the Examiner alleges that Schultz '346 discloses a boss holder by stating that the PCB 32 "serves as the boss holder since it receives and holds the boss by virtue of the connection therewith" (quoting from paragraph 3, lines 12-13 of the Office action). However, in contrast, claim 7 recites that the video unit includes, as separate elements, a video PCB and a boss holder. Thus, the contention that the PCB 32 of Figure 2 of Schultz '346 serves as a boss holder contradicts the recitations contained in the last paragraph of claim 7 of the present application.

For the above reasons, it is submitted that independent claim 7 and associated dependent claims 8 thru 12 recite the invention in a manner distinguishable from the prior art so as to preclude rejection under 35 U.S.C. §102 or §103. With respect to the possibility of a rejection under 35 U.S.C. §103, it should be noted that Schultz '346, by disposing the PCB 32 and a direction perpendicular to an axis of the CRT 16, and by not providing a video unit which includes a video PCB and a boss holder as separate elements, actually "teaches away" from the present invention, thereby not providing any suggestion whatsoever to a person of ordinary skill in the art as to modification of the disclosure of Schultz '346, and accordingly precluding any possibility of a proper

rejection under 35 U.S.C. §103.

New independent claim 13 is a combination of the recitations of previous claims 7 and 9. Thus, independent claim 13 recites that the electron gun is inserted into a neck of a cathode ray tube bulb, and the video PCB is horizontally installed under the neck of the cathode ray tube bulb.


Therefore, new independent claim 13 and its associated dependent claims 14 thru 17 should now be in condition for allowance for the same reasons that the Examiner indicated allowable subject matter in dependent claims 9 thru 12 (referring to paragraph 5 of the Office action).

Finally, new independent claim 18 is a combination of the recitations of claims 7 and 10. Thus, new independent claim 18 recites that the display apparatus comprises a neck fixing folder provided on the video PCB for fastening the video PCB to a neck of a cathode ray tube bulb. Such a feature is not disclosed or suggested in Schultz '346, as evidenced by the fact that the Examiner stated that dependent claim 10 recited allowable subject matter (again, *see* paragraph 5 of the Office action). For this reason, independent claim 18 and associated dependent claims 19 and 20 should now be in condition for allowance.

In view of the above, it is submitted that the claims of this application are in condition for allowance, and early issuance thereof is solicited. Should any questions remain unresolved, the Examiner is requested to telephone Applicant's attorney.

A fee of \$86.00 is incurred by the addition of one (1) independent claim in excess of 3. Applicant's check drawn to the order of Commissioner accompanies this Amendment. Should the check become lost, be deficient in payment, or should other fees be incurred, the Commissioner is authorized to charge Deposit Account No. 02-4943 of Applicant's undersigned attorney in the amount of such fees.

Respectfully submitted,



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